

No. 99-2284

Filed: June 15, 1999

Before HANSEN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

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PER CURIAM.

Arkansas inmate Tommy Monk appeals the district court's<sup>1</sup> order dismissing his 42 U.S.C. § 1983 action for failure to exhaust administrative remedies. Having reviewed the record, we conclude the district court's dismissal of Mr. Monk's complaint was proper. See 42 U.S.C. § 1997e(a). Accordingly, we affirm the district court's order, but modify it to reflect that the dismissal is without prejudice to Mr. Monk's right to refile his complaint should he exhaust his administrative remedies as to all of his claims. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>1</sup>The Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).